

Date: May 18, 2020

To: Dear Judiciary Committee Chairman Filler and Members of the Judiciary Committee

From: A Very Concerned Mom affected by the Ill and Mis-Conceived Juvenile Registry

Currently, adjudicated juveniles who are 17 years of age and under and who have successfully completed the state of Michigan's rehabilitation program and deemed by the state's own psychological professional experts as being very low risk of recidivism, even if no risk, are placed on the Michigan Sex Offender Registry for up to what could be a lifetime.

Note that prosecutors have the option of trying truly dangerous or violent juveniles as adults based on their discretion. As a minimum, all non-violent Tier 1-3 adjudicated juveniles 17 years of age and younger, should be removed from the registry.

Once on the Sex Offender Registry, public or private, the juvenile, our children, and his or her family, is subject to what can be a lifetime of banishment, exclusion from society, and dangerous harassment to include:

1. An inability to obtain housing. For example, if the parents need to rent a house or apartment, the application has a check off box of whether or not anyone is on a Sex Offender Registration. This means that the family and teenager, the juvenile, and siblings will be turned away from housing and be placed on the streets.
2. These juveniles or children are not allowed to have a public education and therefore their ability to get a high school diploma is very limited.
3. College applications and housing to attend college such as a dorm or an apartment also include a check box if they are reporting on the registry. That means if the juvenile (children) are able to finish junior high school or high school, college opportunities are very limited or gone.
4. Most job opportunities are restricted because you have to check a box of whether or not you are reporting on a registry.
5. You are subject to a lifetime of registration 1 to 4 times per year, in person, at the police station. This means if you can't drive yet because you are too young, your parents have to drive you to the police station and attend with you while all watch and gawk at the situation.
6. At least once a year, a member of the police force drives up to your house to verify your residence in front of all your neighbors. Soon, it becomes common knowledge your child is on a Sex Offender List whether it was private or public. Once this becomes known, your family is immediately ostracized, harassed, and is essentially forced to move out of the neighborhood.
 - a. This repeats itself when your new police officer makes a visit to your new neighborhood address to verify your address and this starts the neighborhood scary hazing process all over again.
 - b. Siblings are bullied for no fault of their own, forced to change schools, develop health problems, it is a very disheartening situation as the registry is a lifetime of misery, fear, and banishment for the whole family attributed to one family member who happened to just be a kid themselves.

7. I find it interesting that we put juveniles, children, on a registry but we don't put ANY drunk drivers on a registry who could repeat and kill my entire family in a car accident.
 - a. I find it interesting that we don't put ANY heroin, cocaine or meth dealers on a registry who could get my entire neighborhood's teenagers hooked on drugs. Where are these registries?
 - b. The fact is, data has proved registries for adjudicated juveniles (children) of all Tiers are ineffective and unnecessary and if we are insisting, they are needed for safety – why don't we see the necessity in putting our drunk drivers, arsonists, drug dealers, thieves and murderers on registries?
8. In concluding today, a SORA for a juvenile (17 and under) who has been adjudicated is a punishment that can last a lifetime. No junior high or high school, no college, no housing, no jobs, leaves juveniles (children) and their families with a lifetime of burdensome, unnecessary barriers that may never be overcome. Juveniles with special needs such as autism spectrum disorders, and fetal alcohol syndrome among others are especially vulnerable as they may physically be 17 years of age with a cognitive level of someone who is 8 to 12 years of age.
9. God help any of you with teenagers, nieces, nephews, or grandchildren from 13-17 years of age where schools require Ipads with cameras and the internet as they are prime candidates for sex offenses. Kids with iPhones or any type of cell phone are one mistake away from being on a SORA which will ruin their lives and the lives of their entire family.
 - a. **Anything can happen to anyone on any given day. God help you with your teenagers, nieces, nephews, and grandchildren 13-17 years of age, just entering Junior High or High School.**

I'm asking that the state of Michigan stand behind their rehabilitation programs and the evidenced-based data that proves that registries are ineffective and that all adjudicated juveniles (children) 17 years of age and younger who have successfully completed Michigan's rehabilitation program be removed from the registry.

Sincerely,

A Very Good Mother, Aunt, Sister, and Grandma just like You!

In Closing: FAQs Regarding Juveniles - Research-Based Evidence

How large is the Michigan sex offender registry?

- Michigan has nearly 44,000 individuals on the registry, **making it the fourth largest sex offender registry in the country**, with the **third highest registration rate per capita of any state**.
- There are more people on the registry than live in cities the size of Muskegon, Port Huron, or Mt. Pleasant. Michigan adds about 2,000 people to the registry each year, or about five each day.
- Taxpayers pay between \$1.2 - \$1.5 million each year just on the registration database maintained by the state police's central registration unit.
- But most of the costs of SORA fall on local police, the Department of Corrections, and the Michigan courts, who spend untold millions on registry enforcement each year, with no demonstrable public safety effect.

How many juveniles are on Michigan's sex offender registry?

- It is estimated that, on average, **between 10% and 20% of Michigan's sex offender registry are children**, approximately 4,400 to 9,000 juveniles, children in the state of Michigan placed into a system of ostracization, banishment, with deep collateral consequences for the juvenile's siblings and parents.

Why do juveniles think differently than adults?

- Juveniles (children) are not developed in brain anatomy and physiology which effects their mental, psychological, endocrine, and emotional development exposing juveniles to pre-existing risky behavior.

Does the Tier system apply to juveniles and are the Tiers assigned based on a professional psychologist's assessment of the juvenile's risk to the public?

- The Michigan SORA is organized with "tiers" that determine the frequency and length of reporting requirements, even for juveniles (children). These tiers were not developed based on evidence and do not correspond with the risk of an individual to the public. **Hence, science is not factored into this system; it is a system of punishment.**

Can low or no risk juveniles (children) be placed on a registry for life after successfully completing Michigan's rehabilitation program and after the state of Michigan's psychologist deemed the juvenile low or no risk to the public?

- Juveniles who are adjudicated who are even found to be very unlikely, low to no risk when assessed by appointed justice system psychologist/social worker can and are placed in a Tier 3 classification, subjecting a 17 year-old or younger juvenile adjudicated (NOT convicted) of a Tier 3 classification and placed on a Sex Offender Registry (SOR) for life.

What types of activities can put a juvenile on the registry?

- Juveniles, children, can end up on the registry for acts they do not truly understand, misguided pranks, sexual exploration, or ill-considered decisions such as sexting (which is epidemic among teens now).
 - Teenagers (juveniles) will be subject to the registry's life-changing burdens even though they do not pose a danger to the public.
 - Teenagers, juveniles, age 14 and older will end up as lifetime registrants if they are Tier III offenders, with no way to shorten the term, regardless of their circumstances or rehabilitation. These are children as young as 14 in Junior High School or entering High School.
 - Children with Autism Spectrum Disorder (Low to high functioning to include Asperger Syndrome) can be at a high risk without being able to discern double meanings and are often easy prey for other teens

We have a State led Rehabilitation Program yet we still place adjudicated juveniles on the Registry even after they successfully complete the program?

- Yes, juveniles (children) are put on the Sex Offender Registry regardless of their successful completion of the State's Rehabilitation program. This is contrary to the primary goal of the juvenile justice system, which is rehabilitation rather than deterrence or retribution.

Do adjudicated juveniles have low rates of recidivism?

- As a group, juveniles (children) who are adjudicated have very unlikely rates of recidivism and an even lower likelihood of recidivism as adults, especially if they receive appropriate treatment. Rehabilitation treatment is provided through the justice system for juveniles; yet juveniles are subjected to sex offender registration.

I am asking that the state of Michigan stand behind their rehabilitation programs and the evidenced-based data that proves that registries are ineffective and that all adjudicated juveniles 17 years of age and younger who have successfully completed Michigan's rehabilitation program be removed from the registry.

I am also advocating for prevention programs to be developed based on evidence research and be offered to both private and public junior high and high school students, so that our teenagers live a life in the public that is safe and promotes well-being for all.

FAQs References:

- 1) Derived from research that is based upon peer-reviewed, evidenced-based literature that is available on **PUBMED.Gov** **Weblink:** <https://www.ncbi.nlm.nih.gov/pubmed/>
- 2) Derived from the Michigan Attorney General Dana Nessel Amicus Brief on Jan 30 in People vs. Betts, Supreme Court No. 148981. **Weblink found:** <https://floridaactioncommittee.org/wp-content/uploads/2020/02/445142629-AG-Nessel-Amicus.pdf>